

SUBCHAPTER 5. HEARINGS ON COMPLAINTS AGAINST THE DIVISION

19:42-5.1 Hearings on complaints against the Division

19:42-5.2 Presumption of need to inspect and investigate

19:42-5.3 Burden of proof

19:42-5.1 Hearings on complaints against the Division

(a) In its sole discretion, the Commission may conduct hearings on complaints against the Division which have been initiated pursuant to N.J.S.A. 5:1263(g).

1. Such hearings shall be held in accordance with the provisions of the UAPR as modified and supplemented by the Casino Control Act and N.J.A.C. 19:422.

Originally codified at 19:42-6.1
Recodified, effective: 09/05/95

19:42-5.2 Presumption of need to inspect and investigate

The need of the Division to inspect and investigate, and conduct continuing reviews of casino operations through onsite observation and other reasonable means to assure compliance with the act and the regulations promulgated hereunder shall be presumed at all times.

Originally codified at 19:42-6.2
Recodified, effective: 09/05/95

19:42-5.3 Burden of proof

(a) The casino licensee shall have the affirmative responsibility of establishing by clear and convincing evidence that:

1. The procedures of the Division had no reasonable law enforcement purpose; and

2. The procedures of the Division were so disruptive as to inhibit reasonable casino operations; and

3. The procedures of the Division in fact disrupted the licensee's casino operations.

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